

RESOLUTION NO. 3609

AUTHORIZING AND DIRECTING CONDEMNATION OF  
REAL PROPERTY FOR THE EXTENSION OF THE  
ELECTRICAL DISTRIBUTION SYSTEM,

BE IT RESOLVED by the Council of the City of Lodi as follows:

That the Council of the City of Lodi finds, determines and hereby declares:

(1) That the public interest, necessity, and convenience require the acquisition, construction **and** completion by the City of Lodi, **of** a public improvement, to wit: acquisition of the hereinafter described real property for the purpose **of** extending its electrical distribution system and using said property for the construction of an underground duct and electrical vault.

(2) That the proposed improvement is a public use and is planned and located in a manner most compatible with the greatest public good and the least private injury and that said use is authorized by law.

(3) That the City of Lodi acquire the hereinafter described real property for street purposes, by donation, purchase or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name **of** the City of Lodi, any and all actions or proceedings required to acquire the necessary land **and/or** to fix the compensation to be paid for property damaged resulting from the construction and maintenance of said improvement; and in the absence of a satisfactory price agreement with the **owner** of the land, the City Attorney is hereby directed to immediately commence proceedings under Title Seven, Part Three of the Code of Civil Procedure of the State of California, to condemn the property hereinafter described for the purpose of taking said land **for** the extension of the electrical distribution system in the City of Lodi **as** described in Paragraph (1) of this Resolution.

(4) To acquire in the name of the City of Lodi, the simple estate in and to the said hereinafter described real property by condemnation in accordance with the provisions of the Streets and Highways Code, Code of Civil Procedure, and the Constitution of California relating to eminent domain for the purpose of extending its electrical distribution system as described in Paragraph (1) of this Resolution.

(5) To make application to said Court for an order fixing the amount of such security in the way of money deposits as said Court may direct, and **for an** order permitting said City of Lodi to take immediate possession and **use** of said real property, or interest in real property, **or** existing improvements, **as** a right **of** way for public **use**; to make deposit of such security or moneys in such amount **so** fixed and determined and in such manner as said court in which such proceedings **are** pending may direct.

The real property, or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvement is situate in the City of Lodi, County of San Joaquin, State of California, and is described as follows:

A portion of the Southeast Quarter of Section 34, Township 4 North, Range 6 East, Mount Diablo Base and Meridian, being more particularly described as follows:

Beginning at the Southwest corner of said Quarter: thence East along the South line of said Quarter 1220.2 feet: thence North 7' 12' 00" East. 40.32 feet; thence West 40.00 feet North of, as measured perpendicular to, said South line to a point in the West line of said Quarter; thence South 40.00 feet to the point of beginning.

EXCEPT for that portion lying within LILAC STREET, LOWER SACRAMENTO ROAD, and TURNER ROAD.


Dated: March 15, 1972

I hereby certify that Resolution No. 3609 was passed and adopted by the City Council of the City of Lodi in regular meeting held March 15, 1972, by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Kirsten, Schaffer and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

  
Bessie L. Bennett  
City Clerk

